IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

FRIDAY, THE 4TH MAY 2007 / 14TH VAISAKHA 1929

Bail Appl..No. 2673 of 2007

(CRIME NO. 241/2007 OF CHENGANASSERY POLICE STATION)

PETITIONERS/ACCUSED NO.2 & 3

1. P.V.YOHANNAN, AGED 62 YEARS,
PATTARU MADATHIL, KUNNAMTHANAM VILLAGE,
MALLAPPALLY TALUK, PATHANAMTHITTA.

2. SOSAMMA JOHN @ KUNJUMOL, AGED 61 YEARS,
W/O.YOHANNAN, DO. DO.

BY ADV. SRI.S.MUHAMMED HANEEFF

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REP.BY SUB INSPECTOR OF POLICE, CHANGANASSERY
POLICE STATION, CHENGANASSERY (CRIME NO.241/2007)
REP.BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. P.A.SALIM

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.P.Balachandran, J.

B.A.No. 2673 of 2007

ORDER

This is an application for anticipatory bail filed under Section 438 Cr.P.C.

2. The petitioners are Accused Nos.2 and 3 in Crime No.241/07 of Changanassery Police station, registered for offence under Section 498A IPC, on the basis of a complaint filed by their daughter-in-law before police on 18.4.2007. Considering the entire circumstances of the case, I am of the view that anticipatory bail can be granted to the petitioners, imposing stringent conditions.

In the result, I allow this bail application and direct that:

(i) the petitioners do surrender before the learned Magistrate concerned positively within fifteen days from today;

(ii) that on such surrender and on each of them depositing, by way of cash security, an amount of Rupees ten thousand and executing bail bond for

Rupees twenty thousand with two solvent sureties each for like sums to the satisfaction of the learned Magistrate concerned, the petitioners shall be enlarged on bail;

(iii) that on such release the petitioners shall co-operate with the investigation in the case and shall report before the Investigating Officer between 10 a.m. and 11 a.m. on all Tuesdays and Fridays for a period of two months and thereafter on all Tuesdays only, till the investigation in the case is over and final report is laid; and

(iv) that the grant of anticipatory bail shall not stand in the way of the learned Magistrate granting custody of the petitioners to the Investigating Officer for questioning, if the Investigating Agency so asks for and the learned Magistrate deems it fit to grant, considering the circumstances of the case.

4th May, 2007 (K.P.Balachandran, Judge)

tkv